

RECEIVED
USDC, WESTERN DISTRICT OF LA
TONY R. MOORE, CLERK
DATE 5/12/11

6b

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

THEODORE J. PHILLIPS
La. DOC #216784
VS.

CIVIL ACTION NO. 6:10-cv-1300
SECTION P

BURL N. CAIN, WARDEN

JUDGE HAIK
MAGISTRATE JUDGE HANNA

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that this petition for *habeas corpus* be **DENIED AND DISMISSED WITH PREJUDICE** because petitioner's claims are barred by the one-year limitation period codified at 28 U.S.C. §2244(d).

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this 12 day of May, 2011.

R. T. Haik

RICHARD T. HAIK, SR.
UNITED STATES DISTRICT JUDGE